

IN THE HIGH COURT OF JUDICATURE ATBILASPUR (C.G.)Single BenchWRIT PETITION NO. 3899 OF 2005PETITIONER :

PRAMOD KUMAR GARG,
S/o Shri Daya Shanker Garg,
Age about 35 Years, Working
as a Branch Manager, State
Warehousing Corporation,
Kargi Road, Distt. Bilaspur
(C.G.)

VERSUSRESPONDENTS :

- (1) Chhattisgarh State, Ware Housing Corporation, - Through Its Managing Director, C.G. State Warehousing Corporation, 22, Anand Nagar, Distt. Raipur (C.G.)
- (2) President, Chhattisgarh State, Ware Housing Corporation, 22, Anand Nagar, Distt. Raipur (C.G.)
- (3) Manger (Personel), Chhattisgarh State Ware Housing Corporation, 22, Anand Nagar, Distt. Raipur (C.G.)
- (4) V. K. Katelia, S/o S. P. Katelia, Aged About 45 Year, Branch Manager, State Warehousing Corporation, Belha, Distt. Bilaspur (C.G.)
- (5) S. K. Diwivedi, Aged about 38 Years, Branch Manager, State Warehousing Corporation, Manaednagarh, Distt. Korea.

P.R. No. 4249/05
Presented by Sub. Sumi/Sahar
dated 23/8/05



WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF
INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 3899/..... सन् 2005

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	02.09.2005 Dr. N.K. Shukla, Sr. Advocate with Mr. Awadh Tripathi, learned counsel for the petitioner. Mr. Prashant Mishra, learned Additional Advocate General with Mr. Sameer Behar, learned Panel Lawyer for the State of Chhattisgarh / respondents 1 to 3. Mr. B.P. Gupta, learned counsel for respondent No.4. Mr. P. Diwaker, Sr. Advocate with Mr. K. Shakeel, learned counsel for respondent No.5. By order dated 01.08.2005, this Court, while considering W.P. No.3455 of 2005 impugning the transfer order dated 18.07.2005 passed by respondent No.1 to the following effect: "Having considering the facts and circumstances of the case and also considering the documents filed along with writ petition, in the opinion of this Court, ends of justice would be served, if a direction is given to the respondents to dispose of the representations Annexures P-2 & P-3 filed by the petitioners within the stipulated period granted by this Court. It is hereby directed that if the representations, Annexures P-2 & P-3 have not been disposed of so far, the concerned authority of the respondents shall dispose of the same as early as possible preferably within a period of 3 weeks from date of production of certified copy of this order along with the copy of writ petition. The transfer of the petitioner shall be subject to final decision of the representations. Meanwhile, the order of transfer of the petitioner shall not be given effect to for a period of 4 weeks from today. It is	

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आदेश पत्रक (पूर्वानुबद्ध)

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	made clear that this order of not giving effect to the transfer order shall automatically loose its efficacy after termination of 4 weeks from today irrespective of the fact as to whether the representations are decided or not." Pursuant to order dated 01.08.2005 passed by this Court, the respondent No.1 by order dated 12.08.2005 (Annexure P-1) and order dated 22.08.2005 (Annexure P-8), respondent No.1 passed an order disposing of the petitioner's representation that the petitioner was posted for more than three years at Kargi Road and academic session had already started long back. It is further stated that the transfer was made on administrative exigency as such representation cannot be accepted for consideration. The orders dated 12.08.2005 (Annexure P-1) and 22.08.2005 (Annexure P-8) cannot be termed as order disposing of the representation made by the representation in the letter and spirit of the order dated 01.08.2005 passed by this Court. Mr. Prashant Mishra, learned Additional Advocate General assisting by Mr. Sameer Behar, learned Panel Lawyer for the State of Chhattisgarh submits that the representations have been considered and the orders have been passed. Having gone through the orders dated 12.08.2005 (Annexure P-1) and 22.08.2005 (Annexure P-8), I found that the petitioner's representation to the effect that his sister is pursuing B.Ed course in Bilaspur as such the transfer order be not given effect to, till April, 2006 has not been considered in terms by respondent No.1.	

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक (पूर्वानुबद्ध)

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Sarma	Accordingly, the respondent No.1 is directed to pass detailed reasoned orders considering the specific grounds raised in the representations within a period of one month from the date of receipt of the order. In view of the above direction, the petition stands disposed of. Consequently, all pending applications stand disposed of. No order as to costs.	Sd/- Satish K. Agnihotri Judge

SPES/2005 - 20,000

6.9.05
[Signature]